

SUBSTITUTE**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **IN-LINE PROGRAMMING SYSTEM AND METHOD** the specification of which was filed on January 28, 2000 as Application No. 09/493,953 and was amended on October 19, 2000 and November 17, 2000.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s)**

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/117,873	01/29/99

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.


Gerald T. Gray, Reg. No. 41, 797  
Philip H. Albert, Reg. No. 35,819  
Fidel D. Nwamu, Reg. No. 46,294

<b>Send Correspondence to:</b> <b>Fidel D. Nwamu</b> <b>TOWNSEND and TOWNSEND and CREW LLP</b> <b>Two Embarcadero Center, 8<sup>th</sup> Floor</b> <b>San Francisco, California 94111-3834</b>	<b>Direct Telephone Calls to:</b> <b>(Name, Reg. No., Telephone No.)</b> <b>Name: Fidel D. Nwamu</b> <b>Reg. No.: 46,294</b> <b>Telephone: 415-576-0200</b>
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Full Name of Inventor 1:	Last Name: <b>WHITE</b>	First Name: <b>WILLIAM</b>	Middle Name or Initial: <b>H.</b>	
Residence & Citizenship:	City: <b>Houston</b>	State/Foreign Country: <b>Texas</b>	Country of Citizenship: <b>United States of America</b>	
Post Office Address:	Post Office Address: <b>20 Courtlandt Street</b>	City: <b>Houston</b>	State/Country: <b>Texas</b>	Postal Code: <b>77006</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1

  
 \_\_\_\_\_  
 William H. White

Date **1-8-01**

**COPY**



019577-000700US

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
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Washington, D.C. 20231

GT Gray



\*101396635A\*

AUGUST 23, 2000

TOWNSEND AND TOWNSEND AND CREW, LLP  
GERALD T. GRAY  
TWO EMBARCADERO CENTER, 8TH FLOOR  
SAN FRANCISCO, CA 94111-3834

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/30/2000

REEL/FRAME: 010889/0178  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

WHITE, WILLIAM H.

DOC DATE: 05/01/2000

ASSIGNEE:

BP MICROSYSTEMS  
1000 NORTH POST OAK ROAD  
SUITE 225  
HOUSTON, TEXAS 77055-7237

SERIAL NUMBER: 09493953  
PATENT NUMBER:

FILING DATE: 01/28/2000  
ISSUE DATE:

MARCUS KIRK, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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5.30.00

07-06-2000

ocket No. 019530-000700US

FORM PTO-1595

(Rev. 6-93)

MAY 30

U.S. Department of Commerce  
Patent and Trademark Office

101396635

To the Honorable Asst. Commissioner for Patents...

...original documents or copy thereof

1. Name of conveying party(ies):

William H. White

Additional name(s) of conveying parties attached? ☐ Yes  
☒ No.

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other:

Execution Date: May 1, 2000

2. Name and address of receiving party(ies)

Name: BP Microsystems

Internal Address:

Street Address: 1000 North Post Oak Road, Suite 225

City: Houston State: TX ZIP: 77055-7237

Additional names and addresses attached? ☐ Yes ☒ No

4. Application Number(s) or Patent Numbers.

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s): 09/493,953

B. Patent No(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Gerald T. Gray  
 TOWNSEND AND TOWNSEND AND CREW LLP  
 Two Embarcadero Center, 8<sup>th</sup> Floor  
 San Francisco, California 94111-3834  
 (415) 576-0200

6. Total number of applications and patents involved 1

7. Total fee (37 CFR 3.41): -----\$40.00

☐ Enclosed ☒ Charge Fees to Deposit Account☒ Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.

8. Deposit account number: 20-1430

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9. Statement and signature.

*To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.*Gerald T. Gray

Name of Person Signing

Signature

Date

Atty Reg. No. 41,797

Total number of pages including cover sheet, attachments and document 3

10. Change Correspondence Address to that of Part 5? ☒ Yes ☐ No

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover to:

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Box: Assignments  
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SF 150911 v1  
SF 1099632 v1

ASSIGNMENT OF PATENT APPLICATION

SOLE

WHEREAS, William H. White, of ~~1801 Sunset Boulevard~~ <sup>20 Courtyard Street</sup>, Houston, TX ~~77005~~ <sup>77006</sup>, hereinafter referred to as "Assignor," is the inventor of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: IN-LINE PROGRAMMING SYSTEM AND METHOD

Date(s) of execution of Declaration: \_\_\_\_\_

Filing Date: January 28, 2000

Application No.: 09/493,953

WHEREAS, BP Microsystems, located at 1000 North Post Oak Road, Suite 225, Houston, TX, 77055-7237, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignor hereby authorizes and requests Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignor has signed his/her name on the date indicated.

Dated: May 8, 2000

William H. White  
William H. White

STATE OF ~~CALIFORNIA~~ <sup>TEXAS</sup> )  
COUNTY OF Harris )

ss.

On May 8, 2000, before me, Karrie Brenneman, personally appeared William H. White, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Karrie Brenneman  
NOTARY PUBLIC

My Commission Expires: May 8, 2001

SF 1088161 v1

